UNITED STATES PATENT AND TRADEMARK OFFICE

A

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/756,697	01/10/2001	David Stephen Gress	95-456	4607

23164 7590 10/03/2005

LEON R TURKEVICH
2000 M STREET NW
7TH FLOOR
WASHINGTON, DC 200363307

EXAMINER	
OSMAN, RAMY M	
ART UNIT	**PAPER NUMBER**
2157	

DATE MAILED: 10/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/756,697	GRESS ET AL.	
	Examiner	Art Unit	
	Ramy M. Osman	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 July 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-78* is/are pending in the application.

4a) Of the above claim(s) *2,14,23,31,38,50,59 and 71* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-13,15-22,24-30,32-37,39-49,51-58,60-70 and 72-78* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Status of Claims

1. This communication is responsive to RCE amendment filed on July 15, 2005, where applicant amended claims 1,3-5,8-9,11,12,15,22,24,26,27,30,32,35-37, 39,40,41,44,47, 48,51, 58,60-62,65,66,68,69 and 72. Claims 2,14,23,31,38,50,59 and 71 were cancelled. Claims 1-78 (excluding cancelled claims) are pending. The rejections cited are as stated below.

Response to Arguments

2. Applicant's arguments with respect to claims 1-78 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1,3-5,7-12,15,16,18-22,24,26-30,33,35-37,39-41,43-48,51,52,54-58,60-62,64-69,72,73 and 75-78 rejected under 35 U.S.C. 103(a) as being unpatentable over Gifford et al. (U.S. Patent No. 6,549,612) in view of Yotsukura (U.S. Patent No. 6,629,122).

5. In reference to claims 1,22,37 and 58, Gifford teaches a method, server, computer readable medium and a unified communications system comprising:

Receiving from a requesting device a request for providing a user interface session by the unified communications system to enable a user of the requesting device to send a message to an identified destination subscriber (Summary, column 4 lines 15-35, column 5 lines 54-67 and column 9 line 50 – column 10 line 10);

Receiving the message from the requesting device as part of the user interface session (column 6 lines 30-60);

Outputting the message to a determined destination based on determined subscriber profile attributes for the identified destination subscriber (Summary and column 11 lines 24-67).

Gifford discloses prompts for sending a message (column 10). Gifford fails to explicitly teach a first prompt enabling a user to select encryption. However, Yotsukura teaches a secure electronic mail system (column 2 lines 1-15 and column 9 lines 25-67) which includes: a first prompt enabling the user to select encryption of the message (column 15 lines 47-57 and column 16 lines 20-55).

It would have been obvious for one of ordinary skill in the art to modify Gifford by generating for the requesting device as part of the user interface session a first prompt enabling the user to select encryption of the message, as per the teachings of Yotsukura for the purpose of making a secure messaging system.

Gifford fails to explicitly teach a second prompt for the user to supply an encryption key, and encrypting the message based on the encryption key received from the requesting device. However, Yotsukura teaches a secure electronic mail system (column 2 lines 1-15 and column 9 lines 25-67) which includes: a second prompt, based on the user selecting encryption of the message for the user to supply an encryption key, and Causing encryption of the message into an

encrypted message based on the encryption key received from the requesting device (column 15 lines 47-57 and column 16 lines 20-55).

It would have been obvious for one of ordinary skill in the art to modify Gifford by generating for the requesting device as part of the user interface session a second prompt, based on the user selecting encryption of the message for the user to supply an encryption key, and Causing encryption of the message into an encrypted message based on the encryption key received from the requesting device, as per the teachings of Yotsukura for the purpose of making a secure messaging system.

Although Gifford teaches outputting the message (see above citation), Gifford fails to explicitly teach outputting the encrypted message. However, Yotsukura teaches outputting the encrypted message to a determined destination based on determined subscriber profile attributes for the identified destination subscriber (column 15 lines 47-57 and column 16 lines 20-55).

It would have been obvious for one of ordinary skill in the art to modify Gifford by outputting the encrypted message to a determined destination based on determined subscriber profile attributes for the identified destination subscriber, as per the teachings of Yotsukura for the purpose of making a secure messaging system.

6. In reference to claims 2,23,38 and 59, Gifford in view of Yotsukura teach claims 1,22,37 and 58 respectively, wherein the causing encryption step includes invoking a prescribed utility for generation of the encrypted message (Yotsukura, column 15 lines 47-57 and column 16 lines 20-55).

7. In reference to claims 3,24,39 and 60, Gifford in view of Yotsukura teach claims 1,23,37 and 58 respectively, wherein the step of receiving the message includes receiving a message data

file having the message and a Multipurpose Internet Mail Extension (MIME) that specifies a format of the message (Gifford teaches that MIME is well known in the art, column 2 lines 1-25 and column 6 line 30 – column 7 line 10). Gifford fails to explicitly teach the causing encryption step including encrypting the message data file into an encrypted file. However, Yotsukura teaches encrypting the message data file into an encrypted file (Yotsukura, column 15 lines 47-57 and column 16 lines 20-55).

It would have been obvious for one of ordinary skill in the art to modify Gifford by encrypting the message data file into an encrypted file having a MIME. It is well known in the art that the MIME extension specify that a file has an encrypted format.

8. In reference to claims 4,25,40 and 61, Gifford in view of Yotsukura teach claims 3,22,39 and 60 respectively, generating a message transport header specifying an IP based destination address corresponding to the identified destination subscriber (Gifford, column 10).

9. In reference to claim 5,26,41 and 62, Gifford in view of Yotsukura teach claims 3,25,39 and 60 respectively, wherein the message data file has a MIME extension specifying a ".wav" format, with an audio header and a payload (Gifford, column 15 lines 1-30).

10. In reference to claim 7,43 and 64, Gifford in view of Yotsukura teach claims 1,37 and 58 respectively, wherein the outputting step includes outputting the encrypted message to the determined destination according to at least one of SMTP protocol and IMAP protocol (Gifford, column 2 lines 1-25 and column 15 lines 1-30).

11. In reference to claim 8,27,44 and 65, Gifford in view of Yotsukura teach claims 1,37 and 58 respectively, further comprising:

Receiving from a second requesting device a request for providing a second user interface session by the unified communications system to enable the identified destination subscriber using the second requesting device to retrieve stored messages (Gifford, column2 lines 54-67, column 7 lines 45-67 and column 8 lines 10-25);

Retrieving for the second user interface session information related to the stored messages for the identified destination subscriber (Gifford, column 6 line 60 – column 7 line 30 and column 8 line 40 – column 9 line 15).

Gifford fails to explicitly teach inputting a key to decrypt an encrypted message. However, Yotsukura teaches detecting one of the stored messages as encrypted, a third prompt, based on detecting the one stored message, for the identified destination subscriber to supply a decryption key, and supplying the decryption key and the one stored message to an invoked decryption utility for decryption of the one stored message into a decrypted data file (column 15 lines 56-66 and column 16 line 55 – column 17 line 30).

It would have been obvious for one of ordinary skill in the art to modify Gifford by detecting one of the stored messages as encrypted; generating for the second requesting device as part of the second user interface session a third prompt, based on detecting the one stored message, for the identified destination subscriber to supply a decryption key; and supplying the decryption key and the one stored message to an invoked decryption utility for decryption of the one stored message into a decrypted data file, as per the teachings of Yotsukura for the purpose of making a secure messaging system.

12. In reference to claim 9,28,45 and 66, Gifford in view of Yotsukura teach claims 8,44 and 65 respectively, further comprising outputting a decryption result, having been received from the

invoked decryption utility relative to the supplying of the decryption key and one stored message, during the second user interface session to the identified destination subscriber, independent of the encryption key matching the decryption key (Yotsukura, column 15 lines 56-66 and column 16 line 55 – column 17 line 30).

13. In reference to claim 10,29,46 and 67, Gifford in view of Yotsukura teach claims 1,22,37 and 58 respectively, wherein the receiving step includes receiving the request according to hypertext transport protocol, each of the steps of generating the first prompt, and generating the second prompt including sending a corresponding HTML page specifying the corresponding prompt, the step of receiving the message includes receiving the message as an HTTP post to a prescribed uniform resource location (Gifford, columns 6 & 7).

14. In reference to claims 11,30,47 and 68, Gifford teaches a method, server, computer readable medium and a unified communications system comprising:

receiving from a requesting device a request for providing a user interface session by the unified communications system to enable a messaging subscriber using the requesting device to retrieve stored messages (Gifford, column2 lines 54-67, column 7 lines 45-67 and column 8 lines 10-25);

accessing, for the user interface session, subscriber profile information from a subscriber profile directory according to a prescribed open network protocol (column 9 lines 10-50 and column 12 lines 1-55).

Gifford fails to explicitly teach inputting a key to decrypt an encrypted message. Yotsukura teaches a secure electronic mail system (column 2 lines 1-15 and column 9 lines 25-

67) which includes: detecting one of the stored messages as encrypted, a third prompt, based on detecting the one stored message, for the identified destination subscriber to supply a decryption key, and supplying the decryption key and the one stored message to an invoked decryption utility for decryption of the one stored message into a decrypted data file (column 15 lines 56-66 and column 16 line 55 – column 17 line 30).

It would have been obvious for one of ordinary skill in the art to modify Gifford by detecting one of the stored messages as encrypted; generating for the second requesting device as part of the second user interface session a third prompt, based on detecting the one stored message, for the identified destination subscriber to supply a decryption key; and supplying the decryption key and the one stored message to an invoked decryption utility for decryption of the one stored message into a decrypted data file, as per the teachings of Yotsukura for the purpose of making a secure messaging system.

15. In reference to claims 12,31,48 and 69, Gifford in view of Yotsukura teach claims 11,30,47 and 68 respectively, further comprising:

obtaining a decryption result based on the attempting decrypting step; and outputting the decryption result for attempted presentation to the messaging subscriber (Yotsukura, column 15 lines 56-66 and column 16 line 55 – column 17 line 30).

16. In reference to claims 14,35,50 and 71, Gifford in view of Yotsukura teach claims 11,34,47 and 68 respectively, wherein the attempting decrypting step includes invoking a prescribed decryption utility for generation of the decryption result based on the decryption key (Yotsukura, column 15 lines 56-66 and column 16 line 55 – column 17 line 30).

17. In reference to claims 15,33,51 and 72, Gifford in view of Yotsukura teach claims 11,30,47 and 68 respectively, further comprising obtaining, based on the attempting decrypting step, a decryption result including a message data file having a message and a Multipurpose Internet Mail Extension (MIME) that specifies a format of the message (Gifford teaches that MIME is well known in the art, column 2 lines 1-25 and column 6 line 30 – column 7 line 10).

18. In reference to claim 16,36,52 and 73, Gifford in view of Yotsukura teach claims 11,30,47 and 68 respectively, wherein the receiving step includes receiving the request according to hypertext transport protocol, wherein the step of generating the prompt includes outputting a first HTML page specifying the prompt (Gifford, columns 6 & 7).

19. In reference to claim 18,54 and 75, Gifford in view of Yotsukura teach claims 17,53 and 74 respectively, wherein the determining step includes:

accessing the message store according to IMAP protocol for messaging information related to the stored message for the messaging subscriber, based on the accessed subscriber profile information (Gifford, column 2 lines 1-25 and column 15 lines 1-30); and

identifying the one stored message as encrypted based on a prescribed file extension specifying that the one stored message has an encrypted format (Yotsukura, column 15 lines 56-66 and column 16 line 55 – column 17 line 30).

20. In reference to claim 19,55 and 76, Gifford in view of Yotsukura teach claims 18,54 and 75 respectively, wherein the identifying step includes identifying the prescribed file extension as a MIME type extension that specifies an encrypted format (Gifford, column 6 lines 58-61).

21. In reference to claim 20,56 and 77, Gifford in view of Yotsukura teach claims 11,47 and 68 respectively, wherein the determining step includes:

accessing the message store according to IMAP protocol for messaging information related to the stored message for the messaging subscriber, based on the accessed subscriber profile information (Gifford, column 2 lines 1-25 and column 15 lines 1-30); and

identifying the one stored message as encrypted based on a prescribed file extension specifying that the one stored message has an encrypted format (Yotsukura, column 9 lines 40-67 and column 15 lines 1-40).

22. In reference to claim 21,57 and 74, Gifford in view of Yotsukura teach claims 20,56 and 77 respectively, wherein the identifying step includes identifying the prescribed file extension as a MIME type extension that specifies an encrypted format (Gifford teaches that MIME is well known in the art, column 2 lines 1-25 and column 6 line 30 – column 7 line 10). Gifford fails to explicitly teach the causing encryption step including encrypting the message data file into an encrypted file. However, Yotsukura teaches encrypting the message data file into an encrypted file (Yotsukura, column 15 lines 47-57 and column 16 lines 20-55).

It would have been obvious for one of ordinary skill in the art to modify Gifford by encrypting the message data file into an encrypted file having a MIME. It is well known in the art that the MIME extension specify that a file has an encrypted format.

23. **Claims 13,32,49 and 70 rejected under 35 U.S.C. 103(a) as being unpatentable over Gifford et al. (U.S. Patent No. 6,549,612) in view of Yotsukura (U.S. Patent No. 6,629,122) in further view of Olkin et al. (U.S. Patent No. 6,584,564).**

24. In reference to claim 13,32,49 and 70, Gifford in view of Yotsukura teach claims 12,31,48 and 69 respectively. Gifford fails to explicitly teach wherein the outputting step includes outputting the decryption result independent of whether the decryption key enabled successful decryption of the one stored message. However, Olkin teaches a secure messaging system (Summary). Olkin discloses outputting a decryption result independent of whether a decryption key enabled successful decryption of a message (column 16 lines 10-25).

It would have been obvious for one of ordinary skill in the art to modify Gifford by outputting a decryption result independent of whether a decryption key enabled successful decryption of a message as per the teachings of Olkin so that the contents of the message can be protected from unauthorized access.

25. Claim 6,17,25,34,42,53,63 and 74 rejected under 35 U.S.C. 103(a) as being unpatentable over Gifford et al. (U.S. Patent No. 6,549,612) in view of Yotsukura et al. (U.S. Patent No. 6,629,122) in further view of Edmunds et al. (U.S. Patent No. 6,412,079).

26. In reference to claims 6,17,42,53,63 and 74, Gifford in view of Yotsukura teach claims 1,11,37,47,58 and 68 respectively. Gifford fails to explicitly teach determining the subscriber profile attributes for the identified destination subscriber based on accessing a subscriber directory according to Lightweight Directory Access Protocol (LDAP), the subscriber profile attributes specifying the determined destination. However, Edmunds teaches accessing a directory according to the well known standard LDAP protocol within a unified messaging system (Abstract, column 8 lines 30-50 and column 10 lines 3-24).

It would have been obvious for one of ordinary skill in the art to modify Gifford by determining the recipient of the message by accessing a subscriber directory according to LDAP protocol for retrieval of destination information as per the teachings of Edmunds because LDAP is a well known standard facilitating directory searching.

27. In reference to claims 25 and 34, Gifford in view of Yotsukura teach the above mentioned claims including the SMTP and IMAP protocols (Gifford, column 2 lines 1-25 and column 15 lines 1-30). Gifford fails to explicitly teach accessing a subscriber directory according to Lightweight Directory Access Protocol (LDAP). However, Edmunds teaches accessing a directory according to the well known standard LDAP protocol within a unified messaging system (Abstract, column 8 lines 30-50 and column 10 lines 3-24).

It would have been obvious for one of ordinary skill in the art to modify Gifford by determining the recipient of the message by accessing a subscriber directory according to LDAP protocol for retrieval of destination information as per the teachings of Edmunds because LDAP is a well known standard facilitating directory searching.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M. Osman whose telephone number is (571) 272-4008. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RMO
September 26, 2005

ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100